

Chapter

A Permanent Constitutional Assembly: An Institutional Proposal

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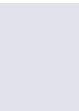
Abstract

This chapter presents an institutional proposal for how citizens could be enabled—in the dual role of European and national citizens—to exercise constituent power in the EU. To explain in abstract terms what an institutional solution would have to involve, it draws on the notion of a sluice system, according to which the particular value of representative bodies consists in their capacity to provide both transmission and filter functions for democratic processes. On this basis, the chapter critically discusses the proposal that the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) should transform itself into an inter-parliamentary constitutional assembly. As this model allows constituted powers to continue to operate as the EU's de facto constituent powers, it cannot be expected to deliver the functions of a sluice system. The chapter goes on to argue that a more convincing solution would be to turn the Convention of Article 48 of the Treaty on European Union into a permanent constitutional assembly composed of two chambers, one elected by EU citizens and the other by member state citizens. The chapter outlines the desirable features of such an assembly and defends the model against a number of possible objections.

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 Panos Panagos ·  Arwyn Jones · Emanuele Lugato · [...] ·  Cristiano Ballabio

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